

1887-039 Chancery Causes: Mary A. Vaughn vs. John M. Cook &c
Lee Co.

Findley, Dickinson, Dickenson, Duncan

CA-Estate Dispute
T-Property

To the Honorable John A. Kelly Judge of the Circuit
Court of Lee County Virginia

Humbly complaining your Oratrix
Mary A. Vaughan, would respectfully show to
your Honor that heretofore to wit on the day of 1866
our Charles Leont a citizen of said County departed
this life intestate, that said decedent was in his life-
time seized and possessed of valuable real estate by
ing and being in said County which descended
to his children and heirs at law, who names are
as follows. To wit John Mc Leont Charles A Leont
Isabella Leont who intermarried with William S. Fend-
lay Georgint Leont who intermarried with William
Dickinson Lou S Leont who intermarried with John
B West A. R. Leont A. J. Leont and your Oratrix.

Your Oratrix would further represent that since the
death of the said Charles Leont that the said A. R.
Leont has departed this life leaving no issue and
that his share in said real estate has descended to
his brothers and sisters who are his heirs at law.

Your Oratrix further charges that said William Dick-
inson husband of the said Georgint Dickinson for-
merly Leont was and is largely indebted to the estate
of the said Charles Leont decd and that being so
indebted he and his wife the said Georgint, on
the 15 day of April 1874 in consideration of said
indebtedness made or attempted to make an
assignment of their entire interest in the estate

both real and personal of which the said Charles
Coush died seized to his administrators the said J. M.
de H. Coush. a copy of which assignment is filed here
with as part of this bill recorded (A) and although
this assignment for want of proper acknowledg-
ments will not pass the legal title of said William
Dickinson & Wife to their interest in said real estate
yet your orator is advised and charges that it amounts
to a contract the specific performance of which
may be enforced in a court of equity. Your orator
further charges that said assignment was made or
intended to be made for the benefit of the heirs of said
decedent and that it was not intended to vest title
in the said Administrators further than as mere trust-
ees for the heirs of said Charles Coush.

Your orator is informed believes and therefore charges
that the said John B West and Lou S his wife have
sold and conveyed their entire interest in said
real estate to the said Charles H Coush and that
he ^{is now} the legal owner thereof.

Your orator further charges that said real estate
is not susceptible of partition amongst the par-
ties aforesaid and that if it cannot be divided
between them with advantage to all the parties,
then your orator is advised that she will be entitled
to have the same sold and the proceeds of the
sale distributed amongst the said heirs ^{equally}.

Your orator charges that said real estate consists

of a house and lot in or adjoining the town of Jonesville in said county on which the said Lehorles Leont formerly lived, and on which the said Lehorles Leont now resides but for a more particular description reference is made to the deed conveying said to said decedent a copy of which is filed here with marked (B) also are half interest in a lot adjoining the last mentioned lot, and on which one John Henderson now resides, also so a small tract or parcel of land situated about one mile from the town of Jonesville adjoining the lands of M B D Lane the lands of the late Daniel S Dickerson & others said last named parcel of land contains ^{acres} but for a more particular description reference is made to the deed of the same a copy of which is here filed as part here of Marked (C) And also an undivided fourth interest in a tract or parcel of land containing by estimation 2000 acres ~~being~~ and being in the wild cat valley and on Wallers Ridge in said county and which was purchased by Benjamin Dickerson Daniel S Dickerson and the said Lehorles are half of which was owned by said Ben Dickerson and one fourth each by Daniel S Dickerson & said Lehorles Leont for a more particular description of said land reference is made to the deed a copy of which is filed here with as part here of marked (D)

The premises considered The object of your said
trip bill is to have said lands partitioned among
the several parties or in case the partition thereof
cannot be made then that the same may be sold
under the direction of this court and the pro-
ceeds divided among those entitled thereto
My prayer therefore is that John Mc Cook
Charles S. Cook Wm S. Suddley and Isabella
Suddley his wife William Dickinson and
Margaret Dickinson his wife and S. J. Cook
be each made parties defendant to this bill &
that they each be required to answer to several
allegations on oath that upon final
hearing that the said William Dickinson
and Margaret his wife be required to convey
the interest in said real estate according
to the true intent and meaning of their agree-
ment aforesaid that partition of said real
estate be made among those entitled there-
to and that if the same cannot be partition-
ed with advantage to the said heirs then that
the same be sold and proceeds thereof
be divided among the said parties accord-
ing to their several interests and for such
other & further special and general relief
as is suited to her case and to a court of
equity belongeth to grant May Spassman
Pl.
Morrison & Duncan
for Complainant

Mary A Vaughan Plff
vs by her atty.
J. M. Coush et al. Dft.

It appearing to the Court from the
report of C. T. Duncan Commissioner, That all the
matters in this cause have been fully
settled up. said report is confirmed and
said cause stricken from the docket.

Mary A Tughrin
vs $\frac{1}{3}$ Deere final

J M Couser et als

March Term 1887.

Entered Page 6

Enter This decree

H. S. K. M.

March 29th 1887.

Mary A Vaughan Pltff.

26- 3 In chcy
John M Goudet als Dfts

This cause came on again
this day to be further heard upon the
papers formerly read, the report and
dud of Court Duncan this day filed
in open Court and was argued by
Counsel, on consideration thereof
said report and dud are confirmed
and the said Wm A Smith has leave
to remove said dud from the files of
this cause for recordation and
this cause is continued.

Mary A Vaughan

rs- 3 Decree

B/M Constital

March 1st 1883-

Entered Page 443

J. B. Gibson & Co.

Enter This decree

In OAK

March 28th 1885-

Mary A Vaughn.

Pliff

against

In Chancery.

John M Bank et als.

Defts.

This cause came on again this day to be further heard upon the papers formerly read in the cause and the report of B. L. Duncan Comr. filed this day in said cause, in which said Comr. asks a rule against the infant heirs of the purchaser of the land sold in this cause and James W Orr security for said purchaser, and on consideration thereof it is ordered that said James W Orr and Myrtle Orr & Elizabeth Orr ^{children of} heirs at law of said R. W. Orr Jr. ^{decd} be summoned to appear here on the fifth day of the ^{next} term to shew cause if any they can, why said land shall not be resold for the balance of the purchase money due thereon. and thereupon the said James W Orr for himself and as guardian ad litem ^{for said infant heirs} appears to said rule and admits that the sale heretofore made for the grand father of said infants is advantageous to them. Upon consideration whereof said by consent of the said J W Orr for himself and as guardian sale is confirmed, and Court Dues due is directed to convey said lot to Mrs A Smith the purchaser by proper deeds with covenants of special warranty as soon as the purchase price thereof is fully paid he will report his action to court & till the coming of such report this cause is continued.

Mary A. Vaughan

George or Rule

John M. Cook et al.

885.
Entered O.B. Page

243.

G. M. L. L. L. L.

Enter this order

J. A. R.

Mar 28/88.

Henry A Vaughan

Deft

vs.

3 Luchey.

John M Couse et als

Defts

This cause coming on again This day to be heard upon the papers formerly read in the cause and the report of C. T. Duncan Commissioner This day filed in open Court together with the deels to Martha A Couse & Richard Martin filed with said report, and was argued by Counsel, And it appearing to the Court That The Plaintiffs in this suit has departed This life since the last decree was entered in it leaving Charles J Vaughan Lulu Vaughan Wm A Vaughan and Thaddeus Vaughan her heirs at law, on who ~~move~~ That said cause be revived and here after prosecuted in Their name which is accordingly now done. and There being no exceptions to said deels or reports They and each of them are confirmed and each of

The grantee in said deeds have come
 to withdraw the same from the files of
 this cause for recordation in the
 Clerk's office of the County Court of
 said County, but before doing they
 will each pay Court Dues and the sum
 of five dollars for making and executing
 said deeds and this cause is contin-
 ued until the next term.

Mary A. Tanguay.

vs. { Deener,

J. M. Gould & Co.

Entered page 387.
 J. H. Hyatt
 Clerk.

Enter This Deener

J. H. H.

Sept 4th 1883

Chd 119

Mary A. Vaughan Pltff
vs 3 In Chancery,
John M. Bouck et al Defs.

This Cause came on this day to be heard upon the papers formerly read in the Cause & the Report of Special Commissioner Duncan filed on the 13th day of Nov. 1879 & was argued by counsel. And it appearing to the Court that said Report has been filed the time required by law & there being no exceptions thereto the same is confirmed. On Consideration Whereof it is adjudged ordered & decreed that said Commissioner doth proceed to collect the said sums of money arising from the sales mentioned in said Report as they become due & pay the same over to the parties respectively entitled thereto. ~~And the Cause is continued till the next term~~ but before proceeding to collect any money hereunder he will execute bond before the Court in the sum of \$1000. conditioned to faithfully account for all sums collected by him and the Cause is continued

Harry A. Vaughan

15 1/2 Acres

John M. Cantel

Cut page 58.

Geo. A. Merrill

Enter this account.

J. A. K.

Dec. 1/79.

Mary A. Vaughan

Plffs

vs

3 In Chancery

John M. Cook et al

Def

This cause came on again this day to be heard upon the papers formerly read in the cause and the report of Henry J. Morgan Commissioner and was argued by counsel and it appearing to the Court that said Report had been filed for more than ten days before the first day of this term and that there are no exceptions thereto the same is confirmed, and it further appearing that the real estate of which the said Charles Cook died seized and which descended to his heirs is not susceptible of partition among those entitled thereto without injury to their interest and the Court being of opinion that the Plaintiff is entitled to have the said real estate sold and proceeds of sale partitioned among the heirs of Charles Cook deceased according to their respective rights it is therefore adjudged ordered and decreed that C. T. Towne be and he is hereby appointed Commissioner

whose duty it is to sell the said real estate
in the bill and proceedings mentioned which
descended to the heirs of said Charles Const
deceased and ~~he will at the proper time~~
~~from~~ the proceeds of said Sale ^{with benefit to distribute} among said
heirs as follows to the plaintiff Mary A. Dought
~~one~~ one seventh, to John M. Const one seventh, to
A. J. Const one seventh, to Charles F. Const in
his own right one seventh, to Charles F. Const
on account of his purchase from J. B. West & Son
his wife one seventh, to Isabella Sundlay
and W^m S. Sundlay her husband, one seventh
and to Margaret Dickinson & William Dick-
^{son}son her husband one seventh, The sale
herein decreed shall be made at the Court house
door of Lu County on some Court day to the
highest bidder on a credit of one two and
three years ^{with interest from day of sale} except a sum sufficient to pay
costs of suit, and commissions on Sale, which
shall be paid down, for the residue said
Commissioner shall take bonds payable
to himself as commissioner with good
personal security, ^{bearing interest as aforesaid} But before proceeding to
make said Sale said Commissioner

will give notice of the time place and time
of sale by posting written notices thereof
at three public places in said County one
of which shall be on the Court house door
or he may advertise the same in the Sentinel
a Newspaper published in said County
for at least 30 days before day of Sale
and he will report his action to the
next Term of this Court till which time
this order is continued

Mary A Vaughan

25th Decem

John M. Boutwell also

Entered Page 1

R. H. Orr Jr. D.C.

Enter
Book
Sept 4th 8

Henry J. Morgan

Plff

vs

John M. Court et al.

John M. Court et al.

Def

This case came on this
4th day of April 1875 ^{to be heard} upon the bill and
exhibits filed therein and was argued
by counsel and it appearing to the Court
that process has been duly served upon
the resident defendants the time requir-
ed by law and that order of Publication
has been duly made, posted, published
and completed for more than 30 days
before the first day of this term and
they all failing to appear answer plead
or answer the bill is taken for confession
~~and consideration of the~~ the Court be-
ing of opinion that an inquiry is neces-
sary to ascertain whether or not the real es-
tate mentioned in the bill is susceptible
of partition among those entitled thereto
It is therefore adjudged ordered and
decree that Henry J. Morgan one of the
Commissioners of this Court, inquire
whether or not said real estate is suscep-
tible of partition without injury to the
interest of those entitled thereto and any
other matters in may deem pertinent
and report his action to the next

Mary A Vaughan

75 1/2 J. W. Orr

John M. Condit also

March, Jan 1878

Ent page 750,
Jas W Orr, clerk.

Ent

J. W. Orr

Feb 4/78

him of the Court and this answer
is returned

Virginia, Lee County, to wit:

This day C. S. Dimcan personally appeared before me and made oath that Wm S Hindley & Isabella Hindley his wife (formerly Isabella Leach), Wm Dickinson & Margaret Dickinson his wife, (formerly Margaret Leach) and A. J. Leach are nonresidents of the State of Virginia.

Given under my hand Oct 16th 1877.

James W Orr. Clerk.

Mary A Vaughan

vs } Affidavit

J. M. & L. F. Couch ~~Attorneys~~
~~et al~~

Filed Oct 16th 1877.

Jas W Orr. Clerk.

Commissioners Office Jonesville Wm June 7th 1878

Mary A. Vaughan

Plff

vs

John M. Cook & al.

Defts

In Law

To the Hon John A. Kelly Judge of the Circuit
Court of Lee County.

Without giving notice to any of the parties
interested in this suit I now proceed to consider
and report upon the enquiries referred to me
by a decree entered in the cause on the 11th day
of April 1878

The more valuable part of the real estate which
is the subject of this suit consists of a lot of land
containing perhaps not more than 2 acres, if so
much with the dwelling house and other
out houses thereon, lying near to, and perhaps
adjoining the town of Jonesville, and on which
the late Charles F. Cook now lives, and the
most valuable part of this property, consists
and is made up of the buildings thereon which
as far as I can see is only suitable for the
residence of one family and should be used
it seems to me by one person

The lot referred to in the Deff's bill as adjoining

The one just referred to, was bought and owned by the late firm of Dickinson & Cook, and when they died their respective undivided half descended to their heirs at law,

In a recent suit the undivided half of said lot belonging to Dickinson & heirs was sold under a decree of a court, where the Capt. Chas F. Cook became the purchaser thereof so that he is now the owner in his own right of one half of said lot.

In this entire lot I do not suppose that there is more than about one half of an acre if that much, and on it is situated a good and valuable Spring, and a small dilapidated cabin house in which John Henderson now resides.

In the piece of land described in the Puffs Hill as lying about one mile from Jossaville there is said to be about 14 or 15 acres, all of which is poor gravelly land, is destitute of water, and has no building thereon, and hence not suitable for a residence, and would only be desirable to some adjacent land owner, or some one living in town on account

of wood & other conveniences it might afford

As to the undoubted interest in a tract of land described by the Jeffin heredit, as lying in the Wild Cat valley, and containing about 2000 acres I have very grave doubts as to whether it can be located and identified but if that was done, I suppose that one fourth part thereof would be worth but comparatively little

This 2000 acre tract if such there be is as I understand it a part of a large survey once bought at a Tax Sale by Benjamin Dickinson Charles Cook and Daniel S. Dickinson, and I think it probable that the whole of it is held and claimed by others, but as to whether these adverse claims are good as against these parties I can form no opinion

These purchasers have lain by for a long time without taking any steps so far as I have ever heard to set up and establish their claim or to identify the particular spot where the same is located, I am therefore a little apprehensive that this tract only exists in paper, and in the imagination

In the Orphans Causes, when I was trying to marshal the assets of Ben Dickinsons estate I referred to this tract, and the supposed interest which Dickinson had therein, and in my reports in these causes I referred to some of the difficulties surrounding the same, and in my reports winding up the matters of D. S. Dickinsons estate I think it probable that I again referred to it, but the creditors of neither of these estates have as yet taken upon themselves the trouble to identify and locate the same, and if Commissioners should be appointed in this suit to partition the same among the parties, I have but little idea that they can find it, and I do not believe that the heirs can show it to them and if my conjectures of this matter should prove true we might as well for the present lose sight of this tract altogether.

A. R. Cook having died without issue his interest in this real estate descends to his Brothers & Sisters.

If Wm. L. Dickinsons wifes assignment shall have the effect to transfer their interest in said estate to the other heirs for the benefit of the estate, and

to that extent, discharge the debt which Dickinson
owes to the estate of said Chas Cook, then the number
of shares will be reduced to 6.

A. Cook left this Country during the war, was
at Dr. Findlay's in May 1868 Stayed 3 days and
then left there according to the information given me
by said Findlay and has not been since heard
of by the parties here or Dr. Findlay as they
inform me so to say the least of it it is now
doubtful whether he is alive or not, I suppose
if the parties saw proper to do so, they might
by taking the necessary steps proceed in this
suit upon the idea that said A. Cook is dead
he not having been heard from for the last 7
years and if that fact was shown, the num-
ber of shares would be reduced to 5

The Dr. L. F. Cook has bought the interest of
Leah West wife and he says that he has
bought and paid for John M. Cook's interest
but as yet he has no conveyance therefor &
if this is true said L. F. Cook is entitled to the 6 shares
or one half the estate if there should be considered
to be 6 of the heirs, and if only 5 then he owns $\frac{3}{5}$
of the entire real estate, But let us take it

in either view of the case, and what would
be the result if partition should be made

I think to say the least of it that the Houses on
the principal lot and the land in which they
stand and the Situation will constitute one
half the value of the real estate, and there-
fore these Houses to be assigned to M. L. F.
Bank, and the balance to be divided between
the other three would not such partition
result in injury to all? To my mind
it would most clearly, for to me it seems
that the Houses would lose a great deal of their
value by being deprived of the land around
them, and the lands would be deprived of
much of their value by having no house
upon them, and the same thing would
happen if L. F. Bank should get the land, and
the others the Houses, And so upon the whole
I am clearly of opinion that partition ought
not, and cannot be made conveniently without
injury to all, and I think the entire real
estate should be sold, and the proceeds divi-
ded according to the rights and interests of
the parties

I have made this report from my own
knowledge of the real estate and its surroundings
without calling upon any person as a witness to
testify in relation to the matter.

All which is respectfully submitted.

Henry J. Morgan Comr.

Henry H. Vaughan

vs } Comms Report

John M. Cuckstal

Filed Aug 14th 1878.

James H. Orr Clerk

Commissioners Report

Mary A Vaughan

vs

In Chancery.

John M Coult et al.

To the Honorable John A Kelly Judge
of the Circuit Court of Lee County Va.

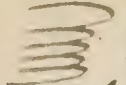
Pursuant to a decree of the Circuit
Court of Lee County rendered and pronounced
in the above styled Cause on the 4th day of Sept
ember 1879. The undersigned who was appointed
a Commissioner for the purpose, on the second
day of December 1878. Offered for sale to the high-
est bidder ^{in front of the Court House door of said County.} on a credit of one two and three years
(except a sum sufficient to pay costs of suit & costs
and Commissions of sale, which I required
to be paid down) the lots and parcels of land
of which the said Charles Coult died seized.
I first offered for sale, one half interest in the
lot or parcel of land situated and lying between the
lots upon which the Charles F Coult now lives
and the lot owned by Wm Davidson and said
interest as well as the other interest of C F Coult in
the same was purchased by R W Orr Jr at
the price of \$105. The said Orr executed his note
to me for \$142.83. and paid down towards costs of
suit & expenses of sale \$13.17. One half of said sum
of \$142.83 or \$71.41 1/2. belongs to the estate of Charles
Coult dec'd and is for distribution. The note of
said Orr with James W Orr security, is in my

filed mort. (X.1.) Mrs. M. A. Couse became the
purchaser of the dwelling house lot or home
place of the said Charles Couse dec'd at the
price of \$600 She paid me down towards
costs of suit & expenses of sale the sum of \$490
and executed to me her note for \$557.00
bearing interest from date payable in three
annual installments of \$188.66 $\frac{2}{3}$ each due
respectively in 1, 2 & 3 years with J. M. Whelan as surety said note is herewith
filed mort. X.11. Richard Martin became the
purchaser of the lot lying on the Blk Water
road containing 18, 2 acres at the price of
\$7800 and paid me down towards costs the
sum of \$5.77 and executed to me his note
each for the sum of \$22.7 due respect-
ively in one, two & three years with Wm. A. Cro-
Timothy Dick as his surety, said notes are
filed herewith mort. X.111.

It will thus be seen that there was paid over
to me for said land commissions the sum of
\$66.84 of this sum I paid to James McCall
\$64.90 Clark's note his receipt for which is herewith
filed mort. (1) To Charles Willoughby Publician
\$200 for \$200 his receipt for which is herewith
filed mort. (2) To Henry J. Morgan Clerk of
the court his receipt for which is
herewith filed mort. X. To Thomas J. Daly

Shuff's cost \$1.00 his receipt for which I am
entitled to receive. (34) I retained the Attorney
for \$5.00 due to Morrison & Duncan and my
Commission of \$25.57 and have left
in my hands for future costs the sum of \$7.88
The sales I consider good. The sum
in cash note ample and would recommend
a confirmation thereof.

Respectfully Submitted
C. E. Duncan Esq.

Long A Vaughan
vs.  Report
J. M. Cook et al

Filed Oct 13th 1877.

Wm. Cook Clerk.

Mary A Vaughan

Deft

vs

3 Lu chcy

John M. Coult it als

Defts

To the Honorable John A. Kelly Judge
of the Circuit Court of Lu County 7th

The undersigned commissioner
begs leave to report That Martha A Coult
and Richard D Martin two of the pur-
chasers of land under a decree rendered
in this cause have fully paid the amount
of the purchase price which they each
agreed to pay for the land purchased
by them respectively, and I have made
each of them a deed to said lands as pur-
chased by them, and file the same here
with as part here of, Morshed (1) & (2) and
recommend that each be confirmed
and I now report to your honor that
plaintiff in this suit has died since the
last term of this Court, leaving Charles
Vaughan, Lulu Vaughan W^m A Vaughan

and Thaddeus Vaughan her heirs at
law and they desire said suit to be
reversed in their name so that the formal
matters yet necessary to be done in this
cause may be completed,

Respectfully submitted

Sept 4th 1883,

C. J. Duncan Esq.

Mary A Vaughan
vs B Report
J. M. Condit also

Filed Sept 4th 1883
in Open Court by
leave thereof
J. J. Hyatt
Clerk

To the Honorable John A. Kelly Judge
of the Circuit Court of Lee County Va

The undersigned Commissioner
in the Chancery Cause of Mary A. Vaughan
vs. McComb et al. respectfully reports
that pursuant to a decree made and entered
in this cause he sold all the land, in the bill
and proceedings mentioned at which
sale R. W. Orr Jr. became the purchaser of
of a lot situated near the town of Fincastle
at the price of \$105⁰⁰ he paid down \$12.77
and executed his note for the balance.
Said Orr afterwards and to wit one year after
the date of said note said Orr paid your court
the sum of \$35⁰⁰ the balance of said note
with its interest since the 4th day of Sept 1874
is still due. Since said land was sold the said
R. W. Orr Jr. has died leaving two infant children
to wit Myrtle and Elizabeth to whom his in-
terest in said lot descended. James W. Orr
is the security of said R. W. Orr Jr. on said
note Your court begs leave to further report
that the grandfather and next friend of the
infants have given up or sold said land
voluntarily to them and he asks that
a rule be awarded against said infants and
the said J. W. Orr to show cause if any thing
can why the land shall be resold or the
sale already made be confirmed and

Mary A. Vaughan

25 3 Report,

L. M. Gould et al

Filed March 28 '85

J. A. Giddings cc

re production not before answer for them
Respectfully submitted
B. J. Anderson (same)

To the Honorable John A. Kelly Judge of
the Circuit Court of the County of

The undersigned who was appointed
a Commissioner to convey by deed the lot of
land unto purchased by R. H. Orr from
in the Chancery Cause of Mary A. Vaughan
vs John M. Cord it also, to W. A. Smith, the
present owner as soon as the purchase
price of said land was fully paid
has here to report That Geo. A. L. Pride
more to whom the balance of said purchase
money is owing has this day took
Wm A. Smith for that sum and executed
to your Court a receipt for the same,
only asking that a lien in his favor
be retained for that sum, to wit the sum
of \$40.00 Accordingly your Commissioner
has made a deed conveying said lot to
said Smith retaining a lien for said Pride
more and also a lien is retained of
said infants for the sum of the \$58.00
which is herewith filed marked "A"
~~and nothing else remaining to be
done. This cause may be dismissed
from the docket~~

March 28th 1885-

Respectfully submitted
C. T. Duncan Clerk

Henry A Vaughan

25- 3 Report with
and
J. M. Cousens

Filed Nov 28/1885

J. H. Hyatt

The Honorable H.S. K. Morison Judge
of the Circuit Court of Lee County Va

There remains nothing further to
be done in the Chancery case of Mary
A Vaughan. vs J M Cook et al. The
purchase money has all been collected
disbursed and made &c.

Respectfully submitted
C. T. Duncan Clerk

Mary A Vaughan
re $\frac{1}{2}$ Report.

J M Couch et al

Filed March 29th 1887
in open court and
by leave thereof.

D. S. Hyatt

I hereby assign and give over to John M. Cook
and Charles F. Cook Administrators of the Estate
of Chas. Cook and all of my right title and interest
in and unto all of the Estate both real and personal
situated by the said Charles Cook at the time of his
death. The assignment hereby made and intended to
be made is the distributive part of the personal es-
tate of deceased Cook, to which I am entitled by
virtue of my marital rights and also all my rights
in the real estate of deceased Cook which ac-
cords to his marital law and the value of the estate
hereby assigned by me is to be credited upon the
debt held against the by said administrators.
Witness my hand and seal this 15th day of
April 1874.

Thos. M. Dickinson (Seal)
Margaret C. Dickinson (Seal)

La County Court Clerk's Office the 15th day of May 1874.
The foregoing assignment between Thos. M. Dickinson and
Margaret C. his wife of the one part and John M. Cook
and Charles F. Cook Admins of Charles Cook and of the other
part was this day filed in this office and assigned to record.
Attest
J. H. Cook
C. M. Cook

J. No. C. T. Lamb, Adm.
Copy of
from J. Assignments
J. M. Dickinson

(A)

Richard Martin

To C T Duncan loan

To note due in 1 year bearing interest from Dec ^r 2 nd 1878	22.91	
Interest on same to Aug 14 th 1879	97	
Or By cash paid Aug 14 th 1879	23.88	
	<u>5.00</u>	
Interest on same to March 13 th 1880	18.88	
Or By cash paid March 18 th 1880	19.84	
	<u>9.63</u>	
Interest on same to March 18 th 1880	9.28	
To note due Dec 2 nd 78 2 note	22.91	10.69
Interest on same to Aug 2 nd 83	6.37	29.28
To note due Dec 2 nd 78. 3 note	22.91	
Int. to Aug 2 nd 1883	6.37	29.28
		<u>69.25</u>
To note of said Martin borrowed mon	25.00	
		<u>94.25</u>

Received of C. S. Duncan Six dollars & forty
nine cents. Clerk's cost in the chancery
cause of Mary Vaughan against John
M. Coush et al. This the 2^d day of December
1878.
James W. Orr, Clerk

11

1878

Mrs Mary A Vaughan

Josh. Morgan Comr.

Dr

June

To 8 Hours Services in your Suit vs J. M. Cook & al \$6.00

Henry J. Morgan Comr.

Recd. of L. J. Duncan Comr. in said Suit Six
dollars in full of the above fee bill.

H. J. Morgan

Decr 1878.

Mary A. Vaughan

\$6.00

(3)

Mary A Vaukhan.

rs

Lucy Akey.

John W. Coult it also.

Received of C. T. Duncan seven
in the above cause one dollar & fifty
cents in said cause. This 2nd day of
Decr 1849.

Thomas J. Ely
for Thos J. Ely & Co

July

To 2 Receipt

6 T. Duncan Co.

(4)

We agree and bind ourselves our heirs &c
to pay C. T. Duncan lower in the chancery
cause of Mary A Vaughan against John
M. Cook and others, One hundred & forty two
dollars and eighty three cents with interest
from date payable in three annual install-
ments of forty seven $\frac{6}{100}$ each, due & pay-
able in one two and three years value
received in hand and as to this obligation
We each waive the benefit of our homestead
exemptions witness our hands
and seals this 2nd day of December 1858

R. T. Orr Jr Seal

James H. Orr Seal

March 27th 1879

On the 11th inst. paid by cash paid MBD
Lauve Court on a claim which he has
for the purchase price of some land
which claim is a lien on the half
of said lot owned by C & Court \$36.40

X
/

We agree and bind ourselves to pay
C. S. Duncan Commissioner in
The Chancery Cause of Mary A Vaughan
against John M Cook & also the sum
of five hundred and fifty one dollars.

Value received to be paid in three
equal annual installments of one
hundred and eighty three dollars 66 $\frac{2}{3}$
cents each payable respectively in one
two and three years from date all
bearing interest from date and
as to this obligation we each waive
our homestead & exemptions We
press our hands and seals this
1st day of December 1879.

W. A. Cook Seal

James H. Morgan Seal

J. M. Wheeler Seal
deputy

Nov 24th 1874

By check \$194.68

Sept 16th 1880

By cash. R. H. H. \$21.88

Dec 7th 1880

By cash of M. H. \$185.00

June 12 1882

By cash \$66.69

August 29. 82.

By cash 92.17

But: due March 21, 70.00

X.11.

The Commonwealth of Virginia,

To the SHERIFF of Lee County---Greeting:

We COMMAND You to Summon *John M Cook, Charles F Cook, Wm S Hindley + Isabella his wife formerly Isabella Cook, Wm Dickinson + Margaret his wife (formerly Margaret Cook) and A. J. Cook*

to appear before the Judge of the Circuit Court of Lee County, at the Court-House, in the Clerk's Office, at *Lawrence* Rules next, to answer a bill in Chancery, exhibited in our said Court, against *them by Mary A Vaughan.*

And have then there this writ. Witness, James W. Orr, Clerk of our said Court, at the Court-House, this *16th* day of *October* 1877, in the 102. year of the Commonwealth.

James W Orr. Clerk.

Mary A Vaughn
 vs. { Spa in Chancery
 John M Leach et al

 Nov Rules 1877.

Executed by delivering
 copies of the within to J. M.
 V. C. F. Cook, Oct. 17, 1877.
 Tho: J. Ely OS.
 for Tho: S. Ely & Co.

20
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 25-Ex-
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 15-Report,
 6.47

Virginia.

In the clerk's office of the circuit court of Lee county, the
16th day of October 1877.

Mary A Vaughn

Plaintiff

against

John M Cook et als

Defendants

In chancery.

The object of this suit is to have partition made of the real estate of which Charles Cook died seized and possessed, among his heirs, and it appearing from an affidavit filed in the cause that the defendants Wm S Hindley & Isabella Hindley his wife (formerly Isabella Cook) Wm Dickinson & Margaret Dickinson his wife (formerly Margaret Cook) and A. J. Cook are nonresidents of this State, It is therefore ordered that they appear here within one month after due publication of this order, and do what is necessary to protect their interest in this suit.

A copy.

Teste James W Orr, Clerk.

I certify that on Monday the 1st day of the Nov term 1877, of the County Court of Lee county I posted a copy of the above order at the front door of the Court house of Lee county, Given under my hand Nov. 1877.

James W Orr, Clerk.

Mary A Vaughn.

vs { Ord Pub'

John M Couch et als

Copy to Sentinel Oct
16th 1877.

James W Orr. Clk.

I Hereby Certify

That, a Chancery Order in the Circuit Court of
Lee County, of which the annexed is a copy,
was printed four successive weeks in the "Lee County
Sentinel," a weekly newspaper published in the town of
Jonesville, County of Lee, State of Virginia. Publication
ending this, 9th day of November 1877.

Charles Willoughby

Publisher "Sentinel."

VIRGINIA:—In the Clerk's office of the
Circuit Court of Lee county, the 16th day
of October 1877.

Mary A. Vaughn. Plaintiff. } In Ch'cy.
against, }
John M. Couk et als, Defendants.

The object of this suit is to have partition
made of the real estate of which Charles Couk
died seised and possessed among his heirs,
and it appearing from an affidavit filed in the
cause that the defendants Wm. S. Findley
and Isabella Findley his wife. (formerly
Isabella Couk), Wm. Dickenson and Margare
Dickinson his wife (formerly Margaret Couk)
and A. J. Couk are nonresidents of this State.
It is therefore ordered that they appear here
within one month after due publication of this
order, and do what is necessary to protect
their interest in this suit. A copy,

Teste—JAMES W. ORR, Clerk.

Oct. 19 4 w \$5.

Publisher's Certificate.

CASE OF

Mary A. Tanguar
vs.

John M. Gustafson

in Chancery.

P. Q.